



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

409 3rd Street, SW, Suite 300
Washington, DC 20024

**NOTICE OF PROBABLE VIOLATION
and
PROPOSED CIVIL PENALTY**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 5, 2007

Mr. Reed Robinson
Vice President, Engineering Services
Columbia Gas Transmission Co.
PO Box 1273
1700 MacCorkle Ave., SE
Charleston, WV 25325-1273

CPF 1-2007-1004

Dear Mr. Robinson:

Between May to August, 2005, State Inspectors from the West Virginia Public Service Commission (WV PSC) acting as Agents for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your West Virginia facilities.

As a result of the inspection, it appears that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violations are:

1. **§192.709(c) Transmission Lines: Record Keeping**

Each operator shall maintain the following records for transmission lines for the periods specified:

(c) A record of each patrol, survey, inspection, and test required by subparts L and M of this part must be retained for at least 5 years or until the next patrol, survey, inspection, or test is completed, whichever is longer.

On line BM-74, Valve number 1266343 was installed on 12/23/02 and Valve number 1266346 was installed on 11/28/02. No record of inspection was found for either valve for calendar year 2004.

Columbia's post inspection response letter to the WV PSC dated 11/04/05 acknowledges that they were unable to find or locate any record of inspections for 2004.

2. **192.605(a) Procedural manual for O & M.**

(a) General. Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response.

Columbia's O&M procedure 220.03.01, titled "Facility Patrol and Leakage Inspection" specifies the required time interval for leakage surveys with leak detection equipment. Under section 3.2.4 (of this procedure), leakage surveys are specified to be conducted twice each calendar year not to exceed 7-1/2 months.

For Line PL-BKY, Equipment No. 690287, Columbia's records noted that the inspection interval was exceeded at Rt. 52 for the period of 12/30/02 to 08/29/03.

This inspection interval exceeded the 7-1/2 month requirement by 44 days.

Evidence is from Columbia's maximo data base showing the inspection record.

3. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—

(1) In good mechanical condition;

(2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;

The operator failed to inspect a pressure limiting switch at the Kenova Compressor Station within the maximum 15 month interval as required by §192.739. The over-pressure protection sensing switch is Equipment no. 501439 on the number 8 high discharge pressure unit.

Columbia's records show inspections made on 2/14/02 and 5/29/03. This time period exceeds the maximum 15 month interval allowed by 14 days. Columbia's post inspection response letter to the WV PSC dated 11/04/05 acknowledges this.

4. §192.731 Compressor stations: Inspection and testing of relief valves

(a) Except for rupture discs, each pressure relieving device in a compressor station must be inspected and tested in accordance with §§192.739 and 192.743, and must be operated periodically to determine that it opens at the correct set pressure.

(b) Any defective or inadequate equipment found must be promptly repaired or replaced.

The operator failed to follow §192.731 by not promptly repairing or replacing any inadequate equipment found in accordance with §192.731(a).

The probable violation site was at the Ceredo Compressor station located in Wayne County, WV. A relief valve at this location was missing covers. Lack of covers can allow liquids or other materials to accumulate which could make the relief valve inoperable in time of need.

Evidence includes photos of the missing covers, and Columbia's post inspection response letter to the WV PSC dated 11/04/05 stating that temporary covers have been installed until a permanent solution can be resolved.

verified capacity for relief valve (equipment number 1184324). The relief valve is on the first cut regulator located at the Grant Compressor Station.

Columbia's post inspection response letter to the WV PSC dated 11/04/05 states that no records were located.

8. §192.481 Atmospheric corrosion control: Monitoring

(c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by § 192.479

Columbia failed to clean and coat portions of pipeline RM-1108 after noting that the pipeline had atmospheric corrosion occurring. Pipeline RM-1108 experienced four (4) corrosion leaks between 1/02 and 12/03. No action was taken to prevent further atmospheric corrosion.

Pipeline RM-1108 had atmospheric corrosion which is documented by the photographs taken by the WV PSC inspector and Columbia's records. Columbia's maximo report dated 11/3/03, page 1 of 3, Equipment number 1163926 clearly indicates "yes" regarding the question of atmospheric corrosion observed and noted. No action was taken. Pipeline RM -1108 has had four corrosion leaks repaired between 01/02 and 12/03. Columbia's post inspection response letter to the WV PSC dated 11/04/05 stated that the line will be remediated in 2006.

9. §192.739 Pressure limiting and regulating stations: Inspection and testing.

(a) Each pressure limiting station, relief device (except rupture discs), and pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is—

- (1) In good mechanical condition;**
- (2) Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;**

Columbia failed to provide any records to document the annual inspection and testing for the devices (monitor-regulator followed by a control unit) located at regulator station RS-6821 on Line 18044 in Rowlesburg, Preston County.

No records were found for any inspection at that regulator station between 2002 and 2005.

10. **§192.465 External corrosion control: Monitoring**

(d) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

During the review of Columbia's corrosion control records, two (2) locations were identified where the pipeline electrical potential was below cathodic protection criteria, and the remedial work to correct it exceeded one monitoring period. Those locations were:

Line 8241, test station 103+19

Line 8241, test station 74+20

No explanation was given by the operator for lack of prompt remedial action.

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$126,000 as follows:

<u>Item number</u>	<u>PENALTY</u>
#1	\$11,000
#4	\$18,000
#7	\$20,000
#8	\$25,000
#9	\$36,000
#10	\$16,000

Warning Items

With respect to items 2, 3, 5, and 6 we have reviewed the circumstances and supporting documents involved in this case and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to promptly correct these items. Be advised that failure to do so may result in Columbia Gas Transmission being subject to additional enforcement action.

Response to this Notice

“Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. **Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).** If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.”

In your correspondence on this matter, please refer to **CPF 1-2007-1004** and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



Mark Wendorff
Acting Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Cc: WV PSC

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*